

Atty Docket No. JCLA8739

Serial N . 10/065,206

REMARKS**Present Status of the Application**

The Office Action rejected all presently-pending claims 1-20. Specifically, the Office Action rejected claims 1-8 under 35 U.S.C. §112 as being indefinite. In addition, the Office Action rejected claim 15 under 35 USC §102 as being anticipated by Wolfe. (US Patent No. 5,232,407). Further, the Office Action rejected claims 1-3 、 7-11 、 13-14 、 16 and 19-20 under 35 USC §103 as being unpatentable over Wolfe in view of DE61286 (Germany Patent No. 61286). Claims 4-6 would be allowable if rewritten to overcome rejection under 35 U.S.C. 112 and to include all of the limitations of the base claim and any inverting claims. Claims 17-18 would be allowable if rewritten to include all of the limitations of the base claim and any inverting claims. Reconsideration and allowance of those claims is respectfully requested.

Discussion of Office Action Rejections

First of all, Applicants would like to gratefully thank the Examiner of the allowance of claims 4-6 and 17-18.

In response thereto, dependent claim 4 is amended to an independent claim including all the limitations of the base claim 1 and could be allowable. In addition, independent claim 15 is amended to include dependent claim 17 and could be allowable.

Moreover, all the words "include" in the claims are amended to "comprise." It is believed that the foregoing amendments add no new matter to the present application.

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Response to Claims Objections and Claims Rejections under 35 U.S.C. 112

In response thereto, Applicants would like to thank the Examiner of pointing out the informalities.

The phrase "proper tension" in claim 1 is amended to the phrase "tension."

It is believed that the foregoing amendments add no new matter to the present application. Applicants believe that these amendments place the claims in condition for allowance. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Response to Claims Rejections under 35 USC §102

Claim 15 is rejected under 35 USC 102(b) as being anticipated by Wolfe.

For a proper rejection of a claim under 35 U.S.C. section 102, the cited reference must disclose all elements/features/steps of the claim.

It is noted that the independent claim 15 is amended to include dependent claim 17.

Since claim 17 is allowable, the amended claim 15 is allowable

For at least the foregoing reasons, Applicant respectfully submits that independent claim 15 is patentably define over the prior art, and should be allowed. For at least the same reasons, the respective dependent claims 16, 18-20 also patentably define over the prior art.

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Response to Claims Rejections under 35 USC§103

Claims 1-3 、 7-11 、 13-14 、 16 and 19-20 are rejected under 35 USC §103 as being unpatentable over Wolfe in view of DE61286.

For a proper rejection of a claim under 35 U.S.C. Section 102(e), the cited reference must disclose all features of the claim.

Independent claim 9, as amended, states:

Claim 9. A belt tension adjustment apparatus for an optical scanner, wherein the optical scanner comprises at least a main body casing, a scanning module, a transmission system, a pair of belt wheels and a transmission belt, the main body casing has a transparent platform thereon, the scanning module is capable of reciprocating forward and backward inside the main body casing underneath the transparent platform to scan a document placed over the transparent platform, the transmission system, the transmission belt and the belt wheels are all enclosed comprise the main body casing, and the transmission system is coupled to one of the belt wheels for driving the transmission belt and hence moving the scanning module that attaches to the belt, comprising:

a plate spring having a bow in the middle with ends gripping the transmission belt so that a section of the transmission belt bends to provide a tension in the belt; and

a tension spring whose ends are engaged to the respective end of the plate spring.

(Emphasis Added)

It is noted that the Office Action does not state that the “tension spring” is disclosed, taught or suggested by either Wolfe or DE61286, or the combination thereof. In addition, the original claim 4 comprising the “tension spring” is allowable. Therefore, claim 9 is allowable

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since the "tension spring" is not disclosed, taught or suggested by either Wolfe or DE61286, or the combination thereof.

Thus, Wolfe and DE61286, let alone or combined thereof, does not make claim 9 obvious. The withdrawal of the rejections and the allowance of claim 9 are therefore earnestly solicited.

For at least the foregoing reasons, Applicant respectfully submits that independent claim 9 is patently define over the prior art, and should be allowed. For at least the same reasons, the respective dependent claims 10-14 also patently define over the prior art.

In addition, in the Office Action, the dependent claim 12 is not rejected or objected, thus it is assumed that claim 12 is allowable. It is noted that claim 12 is similar to claim 6, since claim 6 is allowable, claim 12 could be allowable.

Independent claim 1, as amended, states:

Claim 1. A belt tension adjustment apparatus for providing a tension in a transmission belt inside a station, wherein the station at least comprises a main body casing, a pair of belt wheels and a transmission system, the belt wheels, the transmission system and the transmission belt are all enclosed inside the main body casing, the transmission belt is wrapped around the belt wheels, the transmission system is coupled to one of the belt wheels, and the belt tension adjustment apparatus comprises a plate spring having a bow in the middle with ends gripping the transmission belt such that a section of the transmission belt forms a bend to provide a tension in the belt.

(Emphasis Added)

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First of all, it is noted that the cited reference DE61286 is a Germany patent including only a drawing and without any description since is issued on Feb. 29, 1982. However, in 1982, the scanner has not been developed, and thus the motivation of using the technology of DE61286 in scanner would be lacked.

In addition, it is clear to those skilled in the art that the "plate spring" of claim 1 of the application is not disclosed, taught or suggested by DE61286 since any one of the figures disclosed in DE61286 is not a "spring" due to the shape thereof is fixed and is not flexible. For example, in Fig. 1 of DE61286, the component d is too thick to be flexible. In Fig. 5, Fig. 6 and Fig. 7 of ED61286, the shapes of the component k' and d' are matched and fixed and are not flexible. In Fig. 4 and Fig. 4a of ED61286, the shapes of the component d and e are matched and fixed and are not flexible.

Thus, Wolfe and DE61286, let alone or combined thereof, does not make claim 1 obvious. The withdrawal of the rejections and the allowance of claim 1 are therefore earnestly solicited.

Discussion of Newly Added Claims

Newly added claims 21-22 comprises the original claims 7-8 and is dependent on amended independent claim 4.

Newly added claim 23 comprises the original claim 2 and the original claim 1. The following feature is disclosed in claim 23.

"wherein the plate spring deforms elastically between a first configuration with the plate spring fully opened and a second configuration with the plate spring fully closed, and the plate

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spring is in a third configuration intermediate between the first configuration and the second configuration when the plate spring is mounted on the transmission belt."

(Emphasis Added)

It is noted that the feature above and the "plate spring" is not disclosed, taught or suggested by DE61286 since any one of the figures disclosed in DE61286 is not flexible and can not have these configurations described in claim 23.

Thus, Wolfe and DE61286, let alone or combined thereof, does not make claim 23 obvious. The allowance of claim 23 is earnestly solicited.

Newly added claims 24-25 comprises the original claims 7-8 and is dependent on new independent claim 23.

Newly added claim 26 comprises the original claim 3 and the original claim 1. It is noted that the "plate spring" of claim 26 is not disclosed, taught or suggested by DE61286 since any one of the figures disclosed in DE61286 is not flexible and is not a "spring."

Thus, Wolfe and DE61286, let alone or combined thereof, does not make claim 26 obvious. The allowance of claim 26 is earnestly solicited.

Newly added claims 27-28 comprises the original claims 7-8 and is dependent on new independent claim 26.

It is believed that the foregoing amendments add no new matter to the present application.

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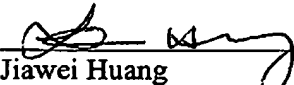
CONCLUSION

For at least the foregoing reasons, it is believed that all pending claims 1-20 and new claims 21-28 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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